

CHAPTER 176

BRIDGES AND VIADUCTS IN CITIES

H. F. 447

AN ACT to amend section three hundred eighty-one point one (381.1), and to repeal sections three hundred eighty-one point three (381.3), three hundred eighty-one point four (381.4), three hundred eighty-one point seven (381.7), and four hundred sixteen point one hundred one (416.101), Code 1950, and to repeal chapter one hundred sixty-two (162), Acts of the Fifty-fourth General Assembly relating to city bridges, viaducts, culverts, underpasses, grade crossing separations, and approaches thereto, and the financing of the cost thereof, including damages arising as a result thereof, by the issuance of bonds and the levy of taxes to pay the bonds.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred eighty-one point one (381.1),
2 Code 1950, is hereby amended by adding thereto the following:

3 "Cities shall have the power within their corporate limits to con-
4 struct, reconstruct, repair, enlarge and maintain, bridges, culverts,
5 viaducts, underpasses, grade crossing separations, and approaches
6 thereto, except those constructed and wholly maintained by any rail-
7 road company under the provisions of chapter three hundred eighty-
8 seven (387)."

1 SEC. 2. Sections three hundred eighty-one point three (381.3), as
2 amended, and three hundred eighty-one point four (381.4), Code 1950,
3 are hereby repealed.

1 SEC. 3. Chapter one hundred sixty-two (162), Acts of the Fifty-
2 fourth General Assembly is hereby repealed.

1 SEC. 4. Section four hundred sixteen point one hundred one
2 (416.101), Code 1950, is hereby repealed.

1 SEC. 5. Section three hundred eighty-one point seven (381.7),
2 as amended, Code 1950, is hereby repealed and the following enacted
3 in lieu thereof:

4 "Cities are hereby authorized to contract indebtedness and to issue
5 general obligation bonds to provide funds to pay all or any part of the
6 cost of the construction, reconstruction, repair or enlargement of
7 bridges, viaducts, culverts, underpasses, grade crossing separations,
8 and approaches thereto, including the payment of damages caused by
9 the making of any such improvements, not wholly constructed or
10 maintained by any railroad company under the provisions of chapter
11 three hundred eighty-seven (387), Code 1950, within the limits of said
12 corporations.

13 "Taxes for the payment of said bonds shall be levied in accordance
14 with chapter seventy-six (76), Code 1950, and said bonds shall be pay-
15 able through the debt service fund in not more than twenty years, and
16 bear interest at a rate not exceeding five per cent (5%) per annum,
17 and shall be of such form as the city council shall by resolution pro-
18 vide, but no city shall become indebted in excess of five per cent (5%)
19 of the actual value of the taxable property within said city, as shown
20 by the last preceding state and county tax lists. The indebtedness
21 incurred for the purpose provided in this Act shall not be considered
22 an indebtedness incurred for general or ordinary purposes.

23 "This Act shall be construed as granting additional power without
24 limiting the power already existing in cities.

25 "The provisions of this Act shall be applicable to all municipal cor-
26 porations regardless of form of government or manner of incorpora-
27 tion."

1 SEC. 6. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Eldora
3 Herald-Ledger, a newspaper published in Eldora, Iowa, and in The
4 Daily Freeman-Journal, a newspaper published in Webster City, Iowa.

Approved April 6, 1953.

I hereby certify that the foregoing Act, House File 447, was published in the Eldora Herald-Ledger, Eldora, Iowa, April 14, 1953, and in The Daily Freeman-Journal, Webster City, Iowa, April 8, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 177

INTERSTATE BRIDGES

H. F. 232

AN ACT to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such bridges and the issuance of revenue bonds to finance such enlargement and reconstruction.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That chapter three hundred eighty-three (383), Code
2 1950, is hereby amended by adding the following new section:
3 "Enlargement and reconstruction of bridges. Any city having a
4 bridge commission, and which heretofore has or hereafter shall have
5 acquired or constructed a bridge and issued revenue bonds to provide
6 funds therefor, all pursuant to a vote of the electors under the provi-
7 sions of this chapter, is hereby authorized to enlarge and reconstruct
8 said bridge and approaches, including the construction of a separate
9 but adjacent span with inter-connections with the original span and,
10 to provide funds therefor, issue negotiable revenue bonds payable
11 solely from revenues of said existing bridge and as so enlarged and
12 reconstructed and, in such event, it shall not be necessary to submit
13 to the electors of the city the proposition to so enlarge or reconstruct
14 said bridge and approaches nor the proposition of issuing such revenue
15 bonds, but in all other respects, except as otherwise hereinafter pro-
16 vided, the issuance of such revenue bonds, the maturities and other
17 details thereof, the rights of the holders thereof, and the duties of the
18 city and of the bridge commission shall be governed by the provisions
19 of this chapter insofar as the same may be applicable, the provisions
20 of any other law to the contrary notwithstanding. Revenues from the
21 bridge not otherwise pledged by the bridge commission may be used and
22 applied toward the cost of such enlargement and reconstruction and
23 prior to the issuance of such revenue bonds the bridge commission may
24 negotiate with or without notice, and, with approval of the governing
25 body of the city, may enter into an agreement or agreements with any